

State of Alaska FY2008 Governor's Operating Budget

Department of Law Legislation/Regulations Component Budget Summary

Component: Legislation/Regulations

Contribution to Department's Mission

The Legislation and Regulations Section provides legal advice and assures compliance with legal standards regarding legislation and regulations that implement executive branch policy directives.

Core Services

The Legislation and Regulations Section drafts and edits legislation on behalf of the governor for introduction in the legislature, tracks and reviews all legislation for legal issues before the governor acts on it, and reviews virtually all regulations adopted by the executive branch for compliance with legal requirements. The section assists the governor's office in seeking passage of legislation introduced at the request of the governor. The section coordinates responses to legal questions and requests for information from legislators to the Department of Law. The section provides training on regulations and legislative matters to all state agencies and to assistant attorneys general. The section prepares the Drafting Manual for Administrative Regulations. The section frequently provides advice to state agencies regarding legal requirements for legislation, regulations, public records, and the Open Meetings Act. The regulations attorney serves as the executive branch representative to the National Conference of Commissioners on Uniform State Laws, which formulates model legislation on issues of nationwide concern.

FY2008 Resources Allocated to Achieve Results

FY2008 Component Budget: \$918,500

Personnel:

Full time	6
Part time	0
Total	6

Key Component Challenges

The Legislation and Regulations Section will be facing an increased demand for its services. The implementation of most major program and policy changes, including cost containment and increasing efficiency and effectiveness in the provision of state services, requires timely changes to statutes, regulations, or a combination of both. To defend any legal challenges successfully and to implement those program and policy changes in a timely manner, precise and clear regulations and statutes are essential. This section plays a crucial role in ensuring that regulations and proposed legislation meet those strict legal standards. The section sees a significant increase in regulations projects and proposed legislation and an increased burden to meet the requests of state agencies with timeliness and accuracy.

A major segment of regulations to be reviewed will be to implement important policy directives to encourage development of the state's natural resources and other economic development initiatives and to control costs attributable to the Department of Health and Social Services' programs. Businesses require a stable and predictable regulatory environment for planning investments and operational purposes. The section provides training regarding regulations and the editing of regulations to state agencies to further this goal. The section's resources are finite and its capacity to meet the increased demands of state agencies for these services will require careful management.

Significant Changes in Results to be Delivered in FY2008

The section anticipates a substantial number of regulations consultations to address new statutes concerning oil and gas taxation, cruiseship initiative, and other priority matters.

The section will soon need a new assistant attorney general position to address these priority matters, to increase

capacity to avoid contracting with private attorneys for final regulation reviews, and to increase structural flexibility to address continuity of services if the current limited number of staff assigned to this key function became ill or unavoidably absent due to a family emergency.

The section's work plan for FY2008 includes production of the 17th edition of the Drafting Manual for Administrative Regulations to address changes in law.

Major Component Accomplishments in 2006

The section conducted legal review of over 1,661 pages of regulations during FY2005.

In September 2004, the section conducted regulation training classes in Juneau and Anchorage, on "New Developments in Regulations Law & Procedure."

In the fall of 2004, the section prepared and distributed to department law office assistants and attorneys Legislation Preparation Information Packets containing typing, formatting, style, and drafting technique information for preparation of legislation projects.

The section coordinated and assisted with 141 legislation projects for the 2005 regular and special sessions.

In the spring of 2005, the section coordinated preparation of and performed final editing of approximately 108 bill reviews for the governor.

In the fall of 2004, the section prepared a supplement to the Drafting Manual for Administrative Regulations to reflect new statute changes, court cases, and procedures.

Statutory and Regulatory Authority

AS 44.23.020

AS 44.23.040

AS 44.62.060

AS 44.62.125

Contact Information

Contact: Deborah Behr, Chief Assistant Attorney General

Phone: (907) 465-3600

Fax: (907) 465-2520

E-mail: Deborah_Behr@law.state.ak.us

Legislation/Regulations Component Financial Summary

All dollars shown in thousands

	FY2006 Actuals	FY2007 Management Plan	FY2008 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	876.3	784.2	750.2
72000 Travel	8.7	10.1	10.1
73000 Services	102.8	135.9	135.9
74000 Commodities	15.4	15.8	15.8
75000 Capital Outlay	7.3	6.5	6.5
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,010.5	952.5	918.5
Funding Sources:			
1004 General Fund Receipts	662.5	703.9	669.7
1007 Inter-Agency Receipts	348.0	248.6	248.8
Funding Totals	1,010.5	952.5	918.5

Estimated Revenue Collections

Description	Master Revenue Account	FY2006 Actuals	FY2007 Manageme nt Plan	FY2008 Governor
<u>Unrestricted Revenues</u>				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
<u>Restricted Revenues</u>				
Interagency Receipts	51015	348.0	248.6	248.8
Restricted Total		348.0	248.6	248.8
Total Estimated Revenues		348.0	248.6	248.8

**Summary of Component Budget Changes
From FY2007 Management Plan to FY2008 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2007 Management Plan	703.9	0.0	248.6	952.5
Adjustments which will continue current level of service:				
-Transfer Funds to Statehood Defense to Adjust Personal Services Vacancy Factor	-150.0	0.0	0.0	-150.0
-FY 08 Health Insurance Increases for Exempt Employees	1.0	0.0	0.2	1.2
-Fund Source Adjustment for Retirement Systems Increases	18.5	0.0	-18.5	0.0
Proposed budget increases:				
-FY 08 Retirement Systems Rate Increases	96.3	0.0	18.5	114.8
FY2008 Governor	669.7	0.0	248.8	918.5

**Legislation/Regulations
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2007</u> <u>Management</u> <u>Plan</u>	<u>FY2008</u> <u>Governor</u>		
Full-time	7	6	Annual Salaries	458,499
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	314,639
			<i>Less 2.97% Vacancy Factor</i>	(22,938)
			Lump Sum Premium Pay	0
Totals	7	6	Total Personal Services	750,200

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney II	0	0	2	0	2
Attorney IV	0	0	1	0	1
Attorney V	0	0	1	0	1
Attorney VI	0	0	1	0	1
Law Office Assistant I	0	0	1	0	1
Totals	0	0	6	0	6